

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

SEAN O’CONNOR,

Plaintiff,

v.

CHARLIE DANIELS, *et al.*,

Defendants.

Case No.: 2:22-cv-00633-APG-NJK

**Order**

*Pro se* Plaintiff Sean O’Connor, a former inmate in the custody of the Nevada Department of Corrections, filed this civil-rights action pursuant to 42 U.S.C. § 1983. The Court entered a screening order on July 19, 2022. Docket No. 8. The screening order granted Plaintiff leave to proceed *in forma pauperis* and imposed a 90-day stay. *Id.* at 9-10. The Court subsequently entered an order assigning the parties to mediation with a court-appointed mediator. Docket No. 11. The parties did not reach a settlement at mediation. Docket No. 13. This case will now proceed on the normal litigation track.

For the foregoing reasons, **IT IS ORDERED** that:

1. The Clerk of the Court shall electronically **SERVE** a copy of this order and a copy of Plaintiff’s complaint, Docket No. 9, on the Office of the Attorney General of the State of Nevada by adding the Attorney General of the State of Nevada to the docket sheet. This does not indicate acceptance of service.

2. Service must be perfected no later than **March 14, 2023**, pursuant to Federal Rule of Civil Procedure 4(m).

3. Subject to the findings of the screening order, Docket No. 8, no later than **January 4, 2023**, the Attorney General’s Office shall file a notice advising the Court and Plaintiff of: (a) the names of the defendants for whom it accepts service; (b) the names of the defendants for whom it does not accept service, and (c) the names of the defendants for whom it is filing the last-known-address information under seal. As to any of the named defendants for whom the Attorney General’s Office cannot accept service, the Office shall file, under seal, but shall not serve the

1 inmate Plaintiff the last known address(es) of those defendant(s) for whom it has such information.  
2 If the last known address of the defendant(s) is a post office box, the Attorney General's Office  
3 shall attempt to obtain and provide the last known physical address(es).

4 4. If service cannot be accepted for any of the named defendant(s), Plaintiff must file  
5 a motion identifying the unserved defendant(s), requesting issuance of a summons, and specifying  
6 a full name and address for the defendant(s). For the defendant(s) as to which the Attorney General  
7 has not provided last-known-address information, Plaintiff shall provide the full name and address  
8 for the defendant(s).

9 5. If the Attorney General accepts service of process for any named defendant(s), such  
10 defendant(s) must file and serve an answer or other response to the complaint, Docket No. 9, no  
11 later than **February 13, 2023**.

12 6. Plaintiff shall serve upon defendant(s) or, if an appearance has been entered by  
13 counsel, upon their attorney(s), a copy of every pleading, motion or other document submitted for  
14 consideration by the Court. If Plaintiff electronically files a document with the Court's electronic-  
15 filing system, no certificate of service is required. Fed. R. Civ. P. 5(d)(1)(B); Nev. Loc. R. IC 4-  
16 1(b); Nev. Loc. R. 5-1. However, if Plaintiff mails the document to the Court, Plaintiff shall  
17 include with the original document submitted for filing a certificate stating the date that a true and  
18 correct copy of the document was mailed to the defendants or counsel for the defendants. If  
19 counsel has entered a notice of appearance, Plaintiff shall direct service to the individual attorney  
20 named in the notice of appearance, at the physical or electronic address stated therein. The Court  
21 may disregard any document received by a district judge or magistrate judge which has not been  
22 filed with the Clerk, and any document received by a district judge, magistrate judge, or the Clerk  
23 which fails to include a certificate showing proper service when required.

24 7. This case is no longer stayed.

25 IT IS SO ORDERED.

26 DATED: December 14, 2022.

27   
28 NANCY J. KOPPE  
UNITED STATES MAGISTRATE JUDGE